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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,576	02/11/2002	Don J. Nguyen	42390P13459	6582

8791 7590 08/27/2003

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EXAMINER
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NGUYEN, DANNY

ART UNIT	PAPER NUMBER
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2836

DATE MAILED: 08/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/074,576

Applicant(s)

NGUYEN ET AL.

Examiner

Danny Nguyen

Art Unit

2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 11-15 is/are rejected.
- 7) ☒ Claim(s) 8-10 and 16-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 7 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Rodriguez et al (USPN 5,815,356). Rodriguez et al disclose a current limiter (fig. 1) comprises a first transistor (Q-2) coupled to a battery (such as voltage supply shown in fig. 1), a second transistor (Q-1) coupled to a first transistor (Q-2), and a resistor (such as R-1) coupled to the second transistor (Q-2) and a super capacitor (such as charge pump A-1), wherein the second transistor (Q-1) prevents excess current plowing from the battery (the voltage supply) to the super capacitor wherein the second transistor (Q-1) is deactivated (see abstract).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art (APA) in view of Chen (USPN 6,169,389).

Regarding to claims 1-3, 11-13, APA discloses a system (see fig. 1) comprises a battery; a computer system connected to a battery. APA does not disclose a super-capacitor and a current limiter as claimed. Chen discloses a super-capacitor (C10) and a current limiter (12). It would have been obvious to one having skill in the art at the time the invention was made to modify the circuitry of APA with a super-capacitor and a current limiter as taught by Chen in order to protect against short-circuit (Chen, col. 3, lines 8-9).

Regarding to claim 4, APA discloses all limitations of claim 1 except for having the super capacitor, which has a capacitance of 20 farad and resistance of 5 m. Chen the super capacitor (C10). However, Chen does not disclose exactly the capacitor with a capacitance of 20 farad and a resistance of 5m. It would have been an obvious matter of choice to one having ordinary skill in the art to select any known capacitance value of the capacitors in order to protect damage to the circuit's components from a high voltage as long as it provides the intended function. In re Dailey, 357 F.2d 669, 149 USPQ 47 (CCPA 1966).

Regarding to claim 5, APA discloses a power delivery subsection (see fig. 1); a plurality of hardware components (a hard disk drive, graphic controller, see described in fig. 1) coupled to the power delivery subsection.

Regarding to claims 6, 14, APA discloses a system voltage regulator (system DC-DC regulator); a chipset voltage regulator (a chipset voltage regulator); a central processing unit voltage regulator (a CPU voltage regulator)(see fig. 1).

### ***Response to Arguments***

3. Applicant's arguments filed 6/20/2003 have been fully considered but they are not persuasive.

Regarding to claims 1, 11, applicant argued that Chen does not disclose a current limiter to prevent excess current flowing from a battery to a super capacitor. However, Chen discloses a current limiter to prevent excess current flowing from a battery to a super capacitor (see col. 4, lines 52-56). Thus, applicant's arguments of claims 1 and 11 do not overcome the Chen reference.

***Allowable Subject Matter***

4. Claims 8-10 and 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Claims 8 and 16 recite a current limiter further comprises a first comparator with inputs coupled across the resistor and an output connected to the gate of the second transistor, and a second comparator with inputs coupled across the resistor and an output connected to the gate of the first transistor.

The references of record do not teach or suggest the aforementioned limitation, nor would it be obvious to modify those references to include such limitation.

**Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure Budelman (USPN 5,629,608) discloses a circuitry protects a computer system against damage due to transient event.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Danny Nguyen whose telephone number is (703)-305-5988. The examiner can normally be reached on Mon to Fri 8:00 AM to 4:30 PM.

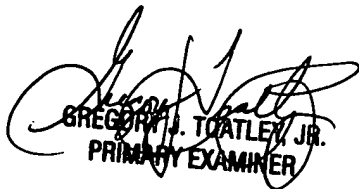
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (703)-308-3119. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-872-9318 for regular communications and (703)-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-0956.

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August 21, 2003

  
GREGORY J. TOATLEY JR.  
PRIMARY EXAMINER